

SECTION 5.7. REGULATION OF DWELLING RENTALS

A. Rental of a dwelling shall be prohibited unless the owner of a rented dwelling holds a license as required in chapter 9 of the Code of Ordinances of the Town of Ponce Inlet and fully satisfies all other requirements of this code.

B. *Application for license.* The holder of a license under this subsection allowing for the rental of a dwelling within the parameters of subsection A must annually provide or comply with the following information:

1. The complete street address and parcel number of the property;
2. Proof of ownership, including the name, address and telephone number of each person or entity with an ownership interest in the property;
3. An approved inspection report of the fire marshal in accordance with Chapter 4A-43 of the Uniform Fire Safety Standards for Transient Public Lodging Establishments, Timeshares and Timeshare Unit Facilities;
4. The gross square footage of the dwelling, including the number of rooms, bedrooms, kitchens, and on-site parking spaces attributable to the rental;
5. A valid and current federal employer tax identification number or Social Security number for the owner(s) of the property;
6. A valid and current Florida Department of Revenue sales tax identification number under F.S., Chapter 212, and a valid and current license under F.S., Chapter 509;
7. The name, address and 24 hour phone number of the person who will be managing the rental property; and
8. The application shall bear the signatures of all owners, authorized agents and authorized property managers.

C. *General regulations.* The following regulations shall pertain to the rental of dwellings:

1. Except as provided herein, each residential property shall prominently display on the outside of the property a medallion alerting the public to the aforementioned use.
2. A contact person must be available 24 hours per day, seven days per week for the purpose of responding to complaints regarding the conduct of the occupants of the subject dwelling.
3. Occupancy of individual units shall conform to the occupancy limits of all applicable building codes.
4. The owner or manager shall maintain a tenant and vehicle registration which shall include the name and address of each unit's tenant and the make, year and tag number of the tenant's vehicle.
5. There shall be a written lease between the owner and tenant and it shall contain an explicit statement that the tenant agrees to follow these regulations.
6. It shall be unlawful for any owner, tenant, broker, licensed real estate agent, agent, or other representatives of the owner to hold out or advertise a residential dwelling for rental if no license is held by the owner. Violation of this subsection may result in occupational license revocation for cause, upon notice and opportunity to be heard by the town council and subject to prosecution by the code enforcement board.
7. Violation of subsection C may result in occupational license revocation for cause, upon notice and opportunity to be heard by the town council and subject to prosecution before the code enforcement board, and any other penalties, as provided for in subsection E.
8. Nothing in this section is intended to exclude the application of any other ordinance of the Town of Ponce Inlet.

The information required in subsection C.2 of this section shall be filed with the town prior to the rental of the subject property.

D. Fees and application schedule.

1. A person or entity who holds a license as required by this subsection shall pay the customary annual license fees, plus an annual inspection and enforcement fee upon the filing of the application set forth in subsection B of this section. The town council shall establish the annual inspection and enforcement fee by resolution.
2. Fee revenues raised under this section shall be used to fund a position in the code enforcement department of the town, provide enforcement and processing personnel as needed and investigative services. The officer holding this position shall have as his or her primary responsibility the enforcement of the terms and conditions of this section.
3. All parties required to obtain a license under subsection B of this section shall file an application and pay the required fee by no later than November 1, 2004, or shall be subject to a late fee to be established by the resolution of the town council. In all subsequent years, the fee prescribed by subsection B of this section shall be paid on or before October 1 of that year.

E. Enforcement and penalties.

1. A violation of this subsection shall be punishable by a fine per day, per unit and per violation in accordance with Florida law commensurate with F.S., ch. 162.
2. Any license granted by the town for the rental, rent or renting of dwellings may be revoked for cause, upon notice and opportunity to be heard by the town council.

F. Annual reporting requirements.

1. All licensed real estate agents, brokers, agents or other parties which represent an owner of a property rented at any time during a calendar year shall file a summary report with the town by February 1 each year which reflects the rental activities of all subject dwellings within the town for the previous calendar year. This report shall include, at a minimum, the following: address of subject property and length of rental period per tenant. The town shall maintain a third-party rental summary report form and make it available to the town upon request. Violation of this shall subject violators to prosecution before the code enforcement board and other penalties in paragraph E. All licensed real estate agents, brokers, agents or other parties which represent an owner of a property rented at any time during a calendar year shall maintain records indicating the name and address of each tenant during the aforementioned period; each tenant's vehicle registration, which shall include the make, year and tag number of the tenant's vehicle; and the written lease between the owner and tenant for inspection by the code enforcement officer upon request.
2. All owners of dwellings rented at any time during a calendar year shall file a summary report with the town by February 1 each year which reflects the rental activities of the subject property within the town for the previous calendar year. This report shall include, at a minimum, the following: address of subject property and length of rental period per tenant. The town shall maintain an owner rental summary report form and make it available to the town upon request. An owner who is found in violation of this section shall be subject to prosecution before the code enforcement board and other penalties in paragraph E. All owners of dwellings rented at any time during a calendar year shall maintain records indicating the name and address of each tenant during the aforementioned period; each tenant's vehicle registration, which shall include the make, year and tag number of the tenant's vehicle; and the written lease between the owner and tenant for inspection by the code enforcement officer upon request.

(Ord. No. 2003-03, § 3, 9-17-2003; Ord. No. 2003-17, § 1, 1-7-2004; Ord. No. 2004-01, § 3, 2-18-2004)

